

By: White

H.B. No. 1621

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a public junior college district
by the Texas Department of Criminal Justice.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 130, Education Code, is amended by
adding Subchapter N to read as follows:

SUBCHAPTER N. JUNIOR COLLEGE DISTRICT IN TEXAS DEPARTMENT OF
CRIMINAL JUSTICE

Sec. 130.401. DEFINITIONS. In this chapter:

(1) "Board" means the Texas Board of Criminal Justice.

(2) "Coordinating board" means the Texas Higher
Education Coordinating Board.

(3) "Department" means the Texas Department of
Criminal Justice.

(4) "District" means the public junior college
district established under this subchapter.

Sec. 130.402. ESTABLISHMENT; OPERATION. (a) The
department may establish a public junior college district to
operate public junior college campuses at the department's
facilities.

(b) The board is the district's governing board and shall
provide for the operation of the district in the manner the board
considers appropriate.

Sec. 130.403. SUNSET PROVISION. The district is subject to

1 review under Chapter 325, Government Code (Texas Sunset Act), and
2 shall be reviewed during the period in which the department is
3 reviewed.

4 Sec. 130.404. APPLICABILITY OF CODE; LIMITATION ON POWERS.

5 (a) Unless otherwise specifically provided, a provision of this
6 code applying to a public junior college district or to the
7 governing board of a public junior college district does not apply
8 to the district or to the board.

9 (b) The district may not impose a tax.

10 Sec. 130.405. GOALS. The goals of the district in educating
11 the district's students are to:

- 12 (1) reduce recidivism;
13 (2) reduce the cost of confinement or imprisonment;
14 (3) increase the success of former inmates in
15 obtaining and maintaining employment; and
16 (4) provide an incentive to inmates to behave in
17 positive ways during confinement or imprisonment.

18 Sec. 130.406. GENERAL DUTIES. The district shall:

- 19 (1) develop educational programs specifically
20 designed for persons eligible under Section 130.407 and ensure that
21 those programs are integrated with an applied vocational context
22 leading to employment;
23 (2) develop vocational training programs specifically
24 designed for persons eligible under Section 130.407 and prioritize
25 the programs that result in the obtainment of workforce
26 credentials, including certification or licensure, considering the
27 impact that a previous felony conviction has on a person's ability

1 to obtain credentialing or employment;

2 (3) continually assess job markets in this state and
3 update, augment, and expand the vocational training programs
4 developed under Subdivision (2) as necessary to provide relevant
5 and marketable skills to students; and

6 (4) coordinate educational programs and services in
7 the department with those provided by the Windham School District,
8 by other state agencies, by political subdivisions, and by persons
9 who provide programs and services under contract.

10 Sec. 130.407. ELIGIBILITY FOR DISTRICT PROGRAMS AND
11 SERVICES. (a) Any person confined or imprisoned in the department
12 who has earned a high school diploma or high school equivalency
13 certificate is eligible for the district's programs and services.

14 (b) To the extent space and funding are available, the
15 district may offer programs or services to persons confined or
16 imprisoned in the department who are not described by Subsection
17 (a).

18 Sec. 130.408. INFORMATION REQUIRED BEFORE VOCATIONAL
19 TRAINING PROGRAM ENROLLMENT. Before a person enrolls in a district
20 vocational training program, the district must inform the person in
21 writing of:

22 (1) any rule or policy of a state agency that would
23 impose a restriction or prohibition on the person in obtaining a
24 certificate, license, or other credential in connection with the
25 vocational training program;

26 (2) the total number of district students released
27 during the preceding 10 years who have completed a district

vocational training program that allows for an opportunity to apply for a certificate, license, or other credential from a state agency and, of those students:

(A) the number who have applied for a certificate, license, or other credential from a state agency;

(B) the number who have been issued a certificate, license, or other credential by a state agency; and

(C) the number who have been denied a certificate, license, or other credential by a state agency; and

(3) the procedures for:

(A) requesting a criminal history evaluation letter under Section 53.102, Occupations Code;

(B) providing evidence of fitness to perform the duties and discharge the responsibilities of a licensed occupation for purposes of Section 53.023, Occupations Code; and

(C) appealing a state agency's denial of a certificate, license, or other credential, including deadlines and due process requirements:

(i) to the State Office of Administrative Hearings under Subchapter C, Chapter 2001, Government Code; and

(ii) through any other available avenue.

Sec. 130.409. CREDIT FOR COMPLETION OF EDUCATIONAL PROGRAMS. (a) An institution of higher education, as defined by Section 61.003, shall grant to a student credit toward a degree or certificate program at the institution for courses the student successfully completes in the district's educational programs, in accordance with rules adopted by the coordinating board.

1 (b) A student may graduate and receive an associate degree
2 or certificate from an educational program offered by the district
3 if the student successfully completes the curriculum requirements
4 established by the board for that program, in accordance with rules
5 adopted by the coordinating board.

6 Sec. 130.410. COORDINATION. (a) The board may coordinate
7 or partner with any appropriate entity to establish the district or
8 to provide the district's programs and services.

9 (b) The district shall coordinate vocational education and
10 job training programs with a local workforce development board
11 authorized by the Texas Workforce Commission to ensure that
12 district students are equipped with the skills necessary to compete
13 for current and emerging jobs.

14 Sec. 130.411. FUNDING. (a) The district is eligible to
15 receive formula funding under Section [130.003](#) or any other funding
16 as the legislature considers appropriate.

17 (b) Not later than September 1, 2020, the coordinating board
18 shall provide to the legislature recommendations regarding
19 appropriate methods of funding the district. This subsection
20 expires September 1, 2021.

21 Sec. 130.412. GRANTS AND FEDERAL FUNDS. (a) The district
22 may accept a grant from any public or private organization and may
23 spend those funds to provide the district's programs and services.

24 (b) The district may accept federal funds and shall use
25 those funds in compliance with applicable federal law.

26 Sec. 130.413. STRATEGIC PLAN AND ANNUAL REPORT. (a) The
27 district shall propose, and the board shall adopt with any

modification the board finds necessary, a strategic plan that includes:

(1) a mission statement relating to the goals and duties of the district under this chapter;

(2) goals to be met by the district in carrying out the mission stated; and

(3) specific educational, vocational training, and counseling programs to be conducted by the district to meet the goals stated in the plan.

(b) Not later than January 31 of each year, the district shall prepare and submit to the board, the governor, the lieutenant governor, the speaker of the house of representatives, and the coordinating board a report for the preceding fiscal year documenting the district's activities under the strategic plan adopted under Subsection (a).

Sec. 130.414. PROGRAM DATA COLLECTION AND BIENNIAL EVALUATION AND REPORT. (a) To evaluate the effectiveness of the district's programs, the district shall compile and analyze information for each program, including performance-based information and data related to academic, vocational training, and life skills programs. The information must include for each person participating in the program an evaluation of:

(1) institutional disciplinary violations;

(2) subsequent arrests;

(3) subsequent convictions or confinements;

(4) the cost of confinement;

(5) educational achievement;

1 (6) progress toward an associate degree or
2 certificate;

3 (7) the kind of training services provided;

4 (8) the kind of employment the person obtains on
5 release;

6 (9) whether the employment was related to training;

7 (10) the difference between the amount of the person's
8 earnings on the date employment is obtained following release and
9 the amount of those earnings on the first anniversary of that date;
10 and

11 (11) the retention factors associated with the
12 employment.

13 (b) Not later than September 1 of each even-numbered year,
14 the district shall use the information compiled and analyzed under
15 Subsection (a) to:

16 (1) evaluate whether the district's programs meet the
17 goals under Section 130.405 and make changes to the programs as
18 necessary; and

19 (2) submit to the board, the governor, and the
20 legislature a report on the district's findings.

21 (c) The district may enter into a memorandum of
22 understanding with the department, the Department of Public Safety,
23 and the Texas Workforce Commission to obtain and share data
24 necessary to evaluate the district's programs.

25 SECTION 2. Section 493.031(a), Government Code, is amended
26 to read as follows:

27 (a) Each facility under the oversight of the correctional

institutions division shall establish a case management committee to assess each inmate in the facility and ensure the inmate is receiving appropriate services or participating in appropriate programs. The case management committee shall:

(1) review each individualized treatment plan adopted under Section 508.152 for an inmate in the facility and, as applicable, discuss with the inmate a possible treatment plan, including participation in any program or service that may be available through the department, the Windham School District, a public junior college district established under Subchapter N, Chapter 130, Education Code, or any volunteer organization; and

(2) meet with each inmate in the facility at the time of the inmate's initial placement in the facility and at any time in which the committee seeks to reclassify the inmate based on the inmate's refusal to participate in a program or service recommended by the committee.

SECTION 3. Sections 501.092(c) and (e), Government Code, are amended to read as follows:

(c) The department, in consultation with the Board of Pardons and Paroles, ~~and~~ the Windham School District, and a public junior college district established under Subchapter N, Chapter 130, Education Code, shall establish the role of each entity in providing reentry and reintegration services. The reentry and reintegration plan adopted under this section must include, with respect to the department, the Board of Pardons and Paroles, ~~and~~ the Windham School District, and a public junior college district established under Subchapter N, Chapter 130, Education

1 Code:

2 (1) the reentry and reintegration responsibilities
3 and goals of each entity, including the duties of each entity to
4 administer the risk and needs assessment instrument adopted under
5 Section 501.0921;

6 (2) the strategies for achieving the goals identified
7 by each entity; and

8 (3) specific timelines for each entity to implement
9 the components of the reentry and reintegration plan for which the
10 entity is responsible.

11 (e) The department shall provide a copy of the initial
12 reentry and reintegration plan adopted under this section and each
13 evaluation and revision of the plan to the board, the Windham School
14 District, a public junior college district established under
15 Subchapter N, Chapter 130, Education Code, and the Board of Pardons
16 and Paroles.

17 SECTION 4. Section 501.0921(c), Government Code, is amended
18 to read as follows:

19 (c) The department, ~~and~~ the Windham School District, and a
20 public junior college district established under Subchapter N,
21 Chapter 130, Education Code, shall jointly determine the duties of
22 each entity with respect to implementing the risk and needs
23 assessment instrument in order to efficiently use existing
24 assessment processes.

25 SECTION 5. Section 501.0971(b), Government Code, is amended
26 to read as follows:

27 (b) The department shall make the resource guide available

1 in the [~~Windham School District~~] libraries of the Windham School
2 District and of a public junior college district established under
3 Subchapter N, Chapter 130, Education Code, and in each of the
4 following areas of a correctional facility:

- 5 (1) peer educator classrooms;
- 6 (2) chapels;
- 7 (3) reintegration specialist offices; and
- 8 (4) any area or classroom that is used by the
9 department for the purpose of providing information about reentry
10 to inmates.

11 SECTION 6. Section 501.098(a), Government Code, is amended
12 to read as follows:

13 (a) The department shall establish a reentry task force and
14 shall coordinate the work of the task force with the Office of Court
15 Administration. The executive director shall ensure that the task
16 force includes representatives of the following entities:

- 17 (1) the Texas Juvenile Justice Department;
- 18 (2) the Texas Workforce Commission;
- 19 (3) the Department of Public Safety;
- 20 (4) the Texas Department of Housing and Community
21 Affairs;
- 22 (5) the Texas Correctional Office on Offenders with
23 Medical or Mental Impairments;
- 24 (6) the Health and Human Services Commission;
- 25 (7) the Texas Judicial Council;
- 26 (8) the Board of Pardons and Paroles;
- 27 (9) the Windham School District;

- 1 (10) the Texas Commission on Jail Standards;
- 2 (11) the Department of State Health Services;
- 3 (12) the Texas Court of Criminal Appeals;
- 4 (13) the County Judges and Commissioners Association
- 5 of Texas;
- 6 (14) the Sheriffs' Association of Texas;
- 7 (15) the Texas District and County Attorneys
- 8 Association; ~~and~~
- 9 (16) the Texas Conference of Urban Counties; and
- 10 (17) a public junior college district established
- 11 under Subchapter N, Chapter 130, Education Code.

12 SECTION 7. Section 661.031(2), Government Code, is amended

13 to read as follows:

14 (2) "State employee" means an individual who is an

15 appointed officer or employee of a state agency and who normally

16 works 900 hours or more a year. The term includes:

- 17 (A) an hourly employee;
- 18 (B) a temporary employee;
- 19 (C) a person employed by:
- 20 (i) the Teacher Retirement System of Texas;
- 21 (ii) the Texas Education Agency;
- 22 (iii) the Texas Higher Education
- 23 Coordinating Board;
- 24 (iv) the Texas School for the Blind and
- 25 Visually Impaired;
- 26 (v) the Texas School for the Deaf;
- 27 (vi) the Texas Juvenile Justice Department;

1 (vii) the Windham School District; ~~[or]~~
2 (viii) the Department of Assistive and
3 Rehabilitative Services; or
4 (ix) a public junior college district
5 established under Subchapter N, Chapter 130, Education Code; and
6 (D) a classified, administrative, faculty, or
7 professional employee of a state institution or agency of higher
8 education who has accumulated vacation leave, sick leave, or both,
9 during the employment.

10 SECTION 8. Section 661.061(2), Government Code, is amended
11 to read as follows:

12 (2) "State employee" means an employee or appointed
13 officer of a state agency. The term includes:

- 14 (A) a full-time employee or officer;
15 (B) a part-time employee or officer;
16 (C) an hourly employee;
17 (D) a temporary employee;
18 (E) a person employed by:
19 (i) the Teacher Retirement System of Texas;
20 (ii) the Texas Education Agency;
21 (iii) the Texas Higher Education
22 Coordinating Board;
23 (iv) the Texas School for the Blind and
24 Visually Impaired;
25 (v) the Texas School for the Deaf;
26 (vi) the Texas Juvenile Justice Department;
27 (vii) the Windham School District; ~~[or]~~

(viii) the Department of Assistive and Rehabilitative Services; or

(ix) a public junior college district established under Subchapter N, Chapter 130, Education Code; or

(F) a classified, administrative, faculty, or professional employee of a state institution or agency of higher education who has accumulated vacation leave during the employment.

SECTION 9. Section 1551.319(d), Insurance Code, is amended to read as follows:

(d) The executive head of the Windham School District or a public junior college district established under Subchapter N, Chapter 130, Education Code, shall determine whether an educational professional employee of the applicable district [~~school~~] is a full-time employee for purposes of this chapter.

SECTION 10. (a) Not later than January 31 of the year immediately following the year in which a public junior college district is established under Subchapter N, Chapter 130, Education Code, as added by this Act, the district shall prepare and submit the initial report required under Section 130.413 of that subchapter.

(b) Not later than September 1 of the first even-numbered year following the year in which a public junior college district is established under Subchapter N, Chapter 130, Education Code, as added by this Act, the district shall submit the initial report required under Section 130.414 of that subchapter.

SECTION 11. This Act takes effect September 1, 2019.